

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Frederick Johannes Bruwer

Application No.: 10/014,664

Group No.: 2131

Filed: December 14, 2001

Examiner: Arvind Moorthy

For: METHOD OF AND APPARATUS FOR TRANSFERRING DATA

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the decision of the Examiner, mailed April 30, 2008, reopening prosecution in view of the Appeal Brief filed February 1, 2008, and rejecting claims 25-37 and 39-63. Pursuant to MPEP §1204.01, Applicant respectfully requests that the previously filed appeal be reinstated and that the previously paid appeal fees be applied to the reinstated appeal.

1. STATUS OF APPLICANT

This application is on behalf of a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b) (1), the fee for the Notice of Appeal is:

Small entity

\$255.00

The previously paid Notice of Appeal fee, which was paid on September 4, 2007, was \$250.00. Accordingly, pursuant to MPEP § 1204.01, the current fee due is $\$255.00 - \$250.00 = \$5.00$

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is:

Deficiency in previously paid Notice of Appeal fee \$5.00

TOTAL FEE DUE \$5.00

5. FEE PAYMENT

Please charge the above fee and any other fees due by this paper to Deposit Account No. 101213.

Date: July 30, 2008

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/wab/
Signature of Practitioner
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